Case 06-72207 Doc 1 Filed 11/22/06 Document

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United States Bankruptcy Court Voluntary Petition Northern District of Illinois, Western Division Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): McCloud, Kevin D. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): None Last four digits of Soc.Sec.No./Complete EIN or other Tax ID No. (if more Last four digits of Soc.Sec.No./Complete EIN or other Tax ID No. (if more than one, state all): than one, state all): Street Address of Debtor (No. and Street, City, and State) Street Address of Joint Debtor (No. and Street, City, and State 3118 Trebes Drive Harvard, IL ZIPCODE ZIPCODE 60033 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIPCODE **ZIPCODE** Location of Principal Assets of Business Debtor (if different from street address above): **ZIPCODE** Type of Debtor Nature of Business **Chapter of Bankruptcy Code Under Which** (Check one box) (Form of Organization) the Petition is Filed (Check one box) (Check one box) Health Care Business Chapter 7 Chapter 15 Petition for Individual (includes Joint Debtors) Single Asset Real Estate as defined in Recognition of a Foreign Chapter 9 11 U.S.C. § 101 (51B) See Exhibit D on page 2 of this form. Main Proceeding Railroad Corporation (includes LLC and LLP) Chapter 11 Stockbroker Partnership Chapter 15 Petition for Chapter 12 Recognition of a Foreign Commodity Broker Other (if debtor is not one of the above entities, Chapter 13 Nonmain Proceeding Clearing Bank check this box and state type of entity below) Nature of Debts Other (Check one box)
Debts are primarily consumer debts, defined in 11 U.S.C. Debts are primarily Tax-Exempt Entity (Check box, if applicable) §101(8) as "incurred by an business debts individual primarily for a Debtor is a tax-exempt organization personal, family, or household under Title 26 of the United States Code (the Internal Revenue Code) purpose." Filing Fee (Check one box) **Chapter 11 Debtors** Check one box: Full Filing Fee attached Debtor is a small business as defined in 11 U.S.C. § 101(51D) Debtor is not a small business as defined in 11 U.S.C. § 101(51D) Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2 million to pay fee except in installments. Rule 1006(b). See Official Form No. 3A. Check all applicable boxes Filing Fee waiver requested (applicable to chapter 7 individuals only). Must A plan is being filed with this petition. attach signed application for the court's consideration. See Official Form 3B. Acceptances of the plan were solicited prepetiion from one of more classes, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. **Estimated Number of Creditors** 1000-5,001-10,001-25,001-50,001-OVER 50-100-99 199 999 5000 25,000 50,000 100,000 100,000 10,000 团 **Estimated Assets** \$10,000 to \$100,000 to \$0 to \$1 million to \$10,000 More than \$100 million \$100,000 \$1 million \$100 million **Estimated Liabilities** \$100,000 to \$0 to \$50,000 to \$1 million to More than \$100 million \$50,000 \$100,000 \$1 million \$100 million

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Official Formals (1006)72207 Doc 1 Filed 11/22/06 Entered 11/22/06 10:30:23 Desc Main B1, Page 2				
	Voluntary Petition (This page must be completed and filed in every case) DOCUMENT Page 2 of 8 Name of Debtor(s): Kevin D. McCloud			
I	All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed:		Case Number:	Date Filed:	
Where Filed: Roo	ckford, IL	02-71383	3/26/02	
Location Where Filed: N.A		Case Number:	Date Filed:	
		or Affiliate of this Debtor (If more than one, attach additional sheet)		
Name of Debtor:	NONE	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11) I, the attorney for the petitioner named in the foregoing petition, declare that I have it the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code. Exhibit A is attached and made a part of this petition. Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) Date			btor is an individual rily consumer debts) egoing petition, declare that I have informed chapter 7, 11, 12, or 13 of title 11, United ble under each such chapter.	
		Signature of Attorney for Debtor(s)	Date	
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.				
		arding the Debtor - Venue		
┫	(Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.			
	There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
	Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United Sates in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Statement by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes)				
	<u> </u>			
(Name of landlord or lessor that obtained judgment)				
	(Address of landlord or lessor)			
	Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.			

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Voluntary Petition

(This page must be completed and filed in every case)

Namper Bellors):

Kevin D. McCloud

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Kevin D. McCloud

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Signature of a Foreign Representative of a **Recognized Foreign Proceedings**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign main proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

- I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are
- Pursuant to § 1511 of title 11United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

(Date)

Signature of Attorney

X /s/ Richard T. Jones

Signature of Attorney for Debtor(s)

RICHARD T. JONES 6184629

Printed Name of Attorney for Debtor(s)

Firm Name

138 Cass Street

Address

Post Office Box 1693 Woodstock, Illinois 60098

(815) 334-8220

Telephone Number

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, 2) I prepared this document for compensation, and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. § 110(b), 110(h), and 342(b); and, 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110 setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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Official Form 1, Exhibit D (10/06)

UNITED STATES BANKRUPTCY COURT Northern District of Illinois, Western Division

In re Kevin D. McCloud	Case No
Debtor(s)	(if known)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.

Official Form 1, Exh. D (10/06) - Cont.

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]
If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); ☐ Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Kevin D. McCloud KEVIN D. MCCLOUD
Date

Allstate Indemnity Company American General Finance American General Finance c/o Credit Collection @ gree 6-72207 Doc 4010年16日45月21/6601BEntered 11/22/06 4/9:30:123 G. Destey Main 2 Wells Avenue, Dept. 9135 6833 Stalter Drive Rockford Health Page 6 of 8 Newton, MA 02459 Rockford, IL 61108 Beneficial Capital One Cardunal Savings Bank 1957 Westmoreland Road Post Office Box 17574 c/o Harlovic and Perko Baltimore, MD 21297 116 W. Main Street Post Office Box 26094 Richmond, VA 23260-6094 W. Dundee, IL 60118 Chicago Tribune Chicago Tribune Cottonwood Financial, Inc. c/o TX Collect c/o Biehl & Biehl Post Office Box 6315 Post Office Box 66415 Chicago, Illinois 60680 2101 W. Ben White Blvd. Chicago, IL 60666-0415 Austin, TX 78704-7516 George Dallas, DDS Heights Finance Megan McCloud 211 West Calhoun Street Post Office Box 176 3118 Trebes Drive Woodstock, Illinois 60098 McHenry, Illinois 60050 Harvard, IL 60033 MHS Physicians MHS Physicians Novastar Mortgage c/o Americollect, Inc. Post Office Box 5081 8140 Ward Parkway, #300 814 S. 8th Street Janesville, WI 53547-5081 Kansas City, MO 64114-2006 Manitowoc, WI 54220-4503 Novastar Mortgage **Publishers Clearing House Publishers Clearing House** c/o Pierce and Associates c/o North Shore Agency Post Office Box 26301 1 North Dearborn Street 751 Summa Aenue Lehigh Valley, PA 18002

Westbury, NY 11590

Sallie Mae Science Fiction Book Club Post Office Box 9500 c/o Eastern Collection Corp. WIlkes-Barre, PA 18773-9500 1626 Locust Avenue

Sprint PCS Stephen King Library **Customer Care** c/o Allied Interstate Post Office Box 10163 Post Office Box 8077 London, KY 40742 New York, NY 10163

Bohemia, NY 11716

Morton Grove, IL 60053

TCF Bank TCF Bank c/o American Collection Corp. c/o Professional Acct. Mgmt. 919 estes Court Post Office Box 391 Schaumburg, IL 60193-4427 Milwaukee, WI 53201-0391

Tru-Link Fence div Peerless Triad Financial Corp. Post Office Box 3299 c/o M.H. Cohon Huntington Beach, CA 92605-3299 Post Office Box 636

Wachovia Bank/Educaid Washington Mutal Card Services Post Office Box 3117 Post Office Box 9016 Winston Salem, NC 27102-3117 Pleasanton, CA 94566-9016

Chicago, IL 60602

Roadloans.Com Post Office Box 4459 Huntington Beach, CA 92605-4459

Sprint c/o Allied Interstate 3000 Corporate Exchange Dr. Columbus, OH 43231-7689

TCF Bank 800 Burr Ridge Parkway Burr Ridge, Illinois 60521

Triad Financial c/o Pentagroup Financial 5959 Corporate Drive Houston, TX 77036-2302

Tru-Link Fence div. Peerless Attn: John Belli 5440 W. Touhy Ave. Skokie, IL 60077

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UNITED STATES BANKRUPTCY COURT Northern District of Illinois, Western Division

In re	Kevin D. McCloud	,		
	Debtor	or	Case No.	
			Chapter	13
VERIFICATION OF LIST OF CREDITORS				
VERIFICATION OF EIGH OF CREDITORS				
	I hereby certify under penalty of perjury	y that the attached L	ist of Creditors	which consists of 1 page, is true,
correc	ct and complete to the best of my knowledge	ge.		
Date		_ Signature	/s/ Kevin D.	McCloud
		of Debtor	KEVIN D. M	1CCLOUD

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United States Bankruptcy Court Northern District of Illinois, Western Division

	In re Kevin D. McCloud	Case No	
		Chapter	13
	Debtor(s)		
	DISCLOSURE OF COMPENSATION O	OF ATTORNEY FOR DEB	TOR
	Pursuant to 11 U .S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certi and that compensation paid to me within one year before the filing rendered or to be rendered on behalf of the debtor(s) in contempla	of the petition in bankruptcy, or	agreed to be paid to me, for services
	For legal services, I have agreed to accept	\$3,000	.00
	Prior to the filing of this statement I have received	\$\$.00
	Balance Due	\$\$500	.00
2.	The source of compensation paid to me was:		
	☑ Other (specify)		
3.	The source of compensation to be paid to me is:		
	☑ Debtor ☐ Other (specify)		
4. asso	I have not agreed to share the above-disclosed compensatio ciates of my law firm.	on with any other person unless	they are members and
of m	I have agreed to share the above-disclosed compensation will y law firm. A copy of the agreement, together with a list of the nam		
5.	In return for the above-disclosed fee, I have agreed to render lega	al service for all aspects of the b	pankruptcy case, including:
	 a. Analysis of the debtor's financial situation, and rendering advices. b. Preparation and filing of any petition, schedules, statements of control of the debtor at the meeting of creditors and of the debtor in adversary proceedings and offer the debtor in adversary proceedings. 	f affairs and plan which may be onfirmation hearing, and any ad	required; journed hearings thereof;
6.	By agreement with the debtor(s), the above-disclosed fee does	not include the following service	S:
	OFF	OTIFICATION.	
		RTIFICATION	
	I certify that the foregoing is a complete statement of any a debtor(s) in the bankruptcy proceeding.	agreement or arrangement for p	ayment to me for representation of the
		/s/ Richard T. Jones	
	Date	Signatui	re of Attorney
		Name o	f law firm